



General Assembly

Substitute Bill No. 1066

January Session, 2003

AN ACT CONCERNING VICTIMS' RIGHTS IN COURT PROCEEDINGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 54-91c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

4 (b) Prior to the imposition of sentence upon any defendant who has
5 been found guilty of any crime or has pleaded guilty or nolo
6 contendere to any crime, and prior to the acceptance by the court of a
7 plea of guilty or nolo contendere made pursuant to a plea agreement
8 with the state wherein the defendant pleads to a lesser offense than the
9 offense with which such defendant was originally charged, the court
10 shall permit [the] any victim of the crime to appear before the court for
11 the purpose of making a statement for the record, which statement
12 may include the victim's opinion of any plea agreement. In lieu of such
13 appearance, the victim may submit a written statement or, if the victim
14 of the crime is deceased, the legal representative or a member of the
15 immediate family of such [crime] deceased victim may submit a
16 statement of such deceased [crime] victim to the state's attorney,
17 assistant state's attorney or deputy assistant state's attorney in charge
18 of the case. Such state's attorney, assistant state's attorney or deputy
19 assistant state's attorney shall file the statement with the sentencing
20 court and the statement shall be made a part of the record at the
21 sentencing hearing. Any such statement, whether oral or written, shall

22 relate to the facts of the case, the appropriateness of any penalty and
 23 the extent of any injuries, financial losses and loss of earnings directly
 24 resulting from the crime for which the defendant is being sentenced.
 25 The court shall inquire on the record whether any victim is present for
 26 the purpose of making an oral statement or has submitted a written
 27 statement. If no victim is present and no such written statement has
 28 been submitted, the court shall inquire on the record whether an
 29 attempt has been made to notify any such victim as provided in
 30 subsection (c) of this section. After consideration of any such
 31 statements, the court may refuse to accept, where appropriate, a
 32 negotiated plea or sentence, and the court shall give the defendant an
 33 opportunity to enter a new plea and to elect trial by jury or by the
 34 court.

This act shall take effect as follows:	
Section 1	October 1, 2003

JUD *Joint Favorable Subst.*